

# DRAFT GROUND WATER PROTECTION REGULATIONS

UPDATE (1/03/01)

(Estimated effective dates in parenthesis)

## Section 6000. Definitions

- Would define “ground water protection areas” (GWPA’s), “leaching GWPA’s,” and “runoff GWPA’s. ” Sections of land determined to be GWPA’s would be identified in a referenced document. (effective 1/1/2003)

## Section 6416. Ground Water Protection Restrictions

- A permit would be required for all agricultural, outdoor industrial and outdoor institutional uses of pesticides listed in section 6800(a) when used in GWPA’s and in specified ground water recharge areas. (effective 1/1/2003)
- To get a permit for the use of 6800(a) pesticides in GWPA’s and in specified ground water recharge areas, the operator of the property or an employee would be required to attend ground water training approved by DPR within the previous 3 years.

In addition, to get a permit for the use of 6800(a) pesticides in leaching GWPA’s where the permit applicant chooses the “efficient irrigation management” option, the permit applicant must provide the following information about the irrigation qualifications of the irrigation manager and the irrigation system of the property to be treated:

1. Method of qualification for irrigation management
  - ☐ Attended an irrigation management class approved by DPR
  - ☐ Passed irrigation management test approved by DPR
  - ☐ Contracted with Certified Irrigation Specialist.
  - ☐ Received training from and had irrigation system evaluated by irrigation mobile laboratory
2. Crop \_\_\_\_\_.
3. Irrigation type (such as furrow, sprinkler, microsprinkler) \_\_\_\_\_.
4. How irrigations are scheduled
5. The distribution uniformity (DU) or coefficient of uniformity of the irrigation system used to irrigate the crop to be treated, if known
6. Predominant soil type(s), such as sandy loam
7. Depth of rooting zone to be managed for irrigation:
8. If the ET method is used, whether or not the crop coefficient and % plant cover are used to adjust the amount of irrigation water needed  
(effective 1/1/2004)

**Section 6486. Restrictions for Ground Water Protection List Pesticides Listed in Section 6800(a)**

- Use of 6800(a) pesticides would be prohibited in recharge areas, except under certain conditions. (effective 1/1/2003)
- Use of 6800(a) pesticides would be prohibited inside canal and ditchbanks unless the pesticide is incorporated or those canals or ditches have specified low percolation rates. (effective 1/1/2003)
- In runoff GWPAs, use of 6800(a) pesticides, except bentazon, would be prohibited unless any one of the following applies: (effective 1/1/2003)
  1. Soil is disturbed within 7 days before pesticide is applied, or
  2. Pesticide is incorporated on at least 90% of the area treated within 7 days after application by mechanical means or sprinkler or low flow irrigation (1/4 - 1 inch), including chemigation if allowed by the label, or
  3. Pesticide is applied to a 2-4 foot band on each side of the tree or vine row, not to exceed 33% of total farmed area, or
  4. Pesticide is applied between April 1 and July 31, or
  5. Runoff water is kept on the field or site for 6 months after application, or
  6. Runoff water is stored offsite in a basin, under certain conditions, controlled by the property operator for 6 months after application.
- In leaching GWPAs, use of 6800(a) pesticides would be prohibited unless any one of the following applies: (effective 1/1/2004)
  1. No irrigation water is applied for 6 months, or
  2. Pesticide is applied so that there is no contact with downward leaching irrigation water (such as to raised beds or berms under furrow irrigation), or
  3. Permittee manages irrigation water so that, for each irrigation applied for 6 months after the pesticide is applied, the net amount of irrigation water applied (as defined) divided by the net irrigation requirement (as defined) is 1.33 or less, and the permittee:

Keeps the following irrigation records for each irrigation for 6 months following application of the pesticide:

- **The net irrigation requirement and how that was determined**  
(net irrigation requirement is the amount of water needed to bring the soil in the crop root zone to field capacity at the time of irrigation. It can be determined by direct measurements of soil moisture, such as by using tensiometers, or indirect measurements of soil moisture, such as by estimating evapotranspiration that has accumulated since the last irrigation.)

- **The amount of irrigation water applied and how that was determined**

- **The ratio of the amount of irrigation water applied divided by the net irrigation requirement.**

- Interim uses. The Director may allow use of alternate mitigation measures or continued use with no mitigation measures, upon request, if the following apply:

For alternate mitigation measures: there are data demonstrating their effectiveness in reducing movement of pesticides to ground water, and those measures are being adopted in regulation.

For use with no mitigation measures:

unmitigated use may be allowed in GWPAs for a limited time if the director determines that there are no feasible alternatives for a specific crop or site or that mitigation measures contained in this section are not feasible for that crop or site. This determination shall be made only so long as progress is being made on development of alternatives or mitigation measures.

(effective 1/12/2003)

#### **Section 6557. Recommendations for Ground Water Protection**

- Licensed pest control advisers would not be allowed to write recommendations for the use of pesticides listed in section 6800(a) anywhere in the state unless they have attended one-time ground water protection training approved by the director.  
(effective 1/1/2003)

### **Section 6568. Dealer Responsibilities**

- From purchasers of 6800 pesticides that do not have a permit, dealers would be required to obtain a signed statement that the purchaser has reviewed the list of GWPAs and that the purchaser will not apply the pesticide in any of those areas. (effective 1/1/2003)

### **Section 6609. Wellhead Protection**

- Wellhead protection (effective 1/1/2002)
  1. No additional restrictions would apply to protected wells, as defined.
  2. The following activities would be prohibited within 100 feet of unprotected wells (as defined):
    - (a) mixing, loading, and storage of pesticides
    - (b) rinsing of spray equipment or pesticide containers
    - (c) maintenance of spray equipment that could result in spillage of pesticide residues on the soil
    - (d) applications of preemergent herbicides.

### **Section 6610. Backflow Prevention**

- Backflow prevention would apply to any source of water, other than a nurse tank. (effective 1/1/2002)

### **Section 6800. Ground Water Protection List**

- The following chemicals would be added to the 6800(a) list: (effective 1/1/2003)

Aldicarb  
Chlorthal dimethyl (Dacthal®)  
Hexazinone

- Uses of diuron products containing less than 7% diuron and that are applied to foliage would be excluded from the 6800(a) list. (effective 1/1/2003)

### **Section 6802. Pesticide Management Zones**

- All Pesticide Management Zones would be deleted (and included in the list of GWPAs). (effective 1/1/2003)